

## REMARKS

The Office Action dated September 30, 2010 has been received and considered. In this response, claims 36, 41, 77, and 79 have been amended. Support for the amendments may be found in the specification and drawings as originally filed. Reconsideration of the outstanding rejections in the present application is respectfully requested based on the following remarks.

### **Objection to Claims 39 and 77**

At page 2 of the Office Action, claims 39 and 77 were objected to because of clarity and dependency issues. The Examiner is thanked for the courtesy and attention in identifying the issues, and claims 39 and 77 have been amended to address the issues. Accordingly, withdrawal of the objection and reconsideration of the claims is respectfully requested.

### **§112 Rejection of Claims 36-45 and 71-79**

At page 2 of the Office Action, claims 36-45 and 71-79 are rejected under 35 U.S.C. § 112, second paragraph, because of antecedent basis issues. The Examiner is thanked for the courtesy and attention in identifying the issues, and claims 36 and 41 have been amended to address the issues. Accordingly, withdrawal of the rejection and reconsideration of the claims is respectfully requested.

### **Obviousness Rejection of Claims 36-41, 43-46, 71-75, and 77-79**

At page 3 of the Office Action, claims 36-41, 43-46, 71-75, and 77-79 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Shinomiya (U.S. Patent No. 5,852,562) in view of Maziasz (U.S. Patent No. 6,209,123). Claim 36 as amended recites as follows:

selecting at the computer device a portion of a first transistor in response to determining the portion of the first transistor extends outward in the first direction from a first logical device of the circuit layout, the first logical device comprising, **when the portion of the first transistor is selected, the first transistor and a portion of the first logical device**, the portion of the first logical device different from the portion of the first transistor;

in response to selecting the portion of the first transistor, reshaping at the computer device the first transistor to reduce a size of the first logical device in the first direction;  
reshaping at the computer device **the portion of the first logical device** in response to reducing the size of the first logical device.

Thus, claim 36 provides for a first logical device that includes a first transistor and a portion different from the first transistor, and provides that the first logical device includes these features **when a portion of the first transistor is selected**. Claim 39 further provides that the portion of the logical device is reshaped in response to the size of the first logical device being reduced. Claim 79 provides for similar features. The Office Action asserts that Shinomiya discloses reshaping a portion of a logical device in response to the size of a first logical device being reduced at Figures 17 and 19, column 13, lines 7-37, and column 14, lines 1-9. However, the cited portion discloses only that a transistor can be folded to meet a cell height limitation. Assuming *arguendo* that the transistor of Shinomiya corresponds to the recited “first transistor”, there is no disclosure that a portion of the a logical device of Shinomiya is reshaped in response to reducing the size of the transistor, as provided by claim 1. As Applicants understand the Office’s position, it is that the folding disclosed by Shinomiya will result in the creation of new transistor fingers. However, assuming *arguendo* that this is correct, the newly created transistor fingers do not exist **when the first logical device of Shinomiya is selected**. In other words, claim 1 provides that the portion of the logical device that is reshaped exists at the time the portion of the first transistor is selected, **prior to the portion of the first transistor being reshaped**. Shinomiya, in contrast, discloses creating new transistor fingers after selection of a cell. Further, Masziaz does not remedy the deficiencies of Shinomiya. The cited references, individually and in combination, therefore fails to disclose at least the above-cited features of claim 36, and the similar features of claim 79.

Claims 37-41, 43-46, 71-75, 77, and 78 depend from claim 36. Accordingly, the cited references fail to disclose or render obvious at least one feature of each of these dependent claims, at least by virtue of their dependence on claim 36. In addition, these claims recite additional novel and non-obvious features. For example, claim 39 recites “wherein the portion of the first logical device comprises a transistor finger of a second transistor.” Thus, claim 39

provides that the portion of the first logical device that is reshaped **is a different transistor than the first transistor**. The Office Action asserts that these features are disclosed at Figures 20 and 21 and accompanying text of Shinomiya. However, the cited portions disclose only that individual transistors can be folded. Neither the cited portion, nor any other portion of Shinomiya or Masziaz, discloses or renders obvious selecting a portion of first transistor, reshaping the portion of the first transistor to reduce the size of a first logical device, and reshaping a transistor finger **of a different transistor** in response to reducing the size of the first logical device. The cited references therefore fail to disclose or render obvious at least the above-cited features of claim 39.

In view of the foregoing, withdrawal of the above-referenced obviousness rejection and reconsideration of the claims is respectfully requested.

#### **Obviousness Rejection of Claims 42 and 76**

At page 3 of the Office Action, claims 42 and 76 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Shinomiya and Maziasz in view of Wang ("Topological cell compaction via transistor rotation"). Claims 42 and 76 depend from claim 37. As explained above, Shinomiya and Maziasz fail to disclose or render obvious the features of claim 37. Further, Wang does not remedy the deficiencies of the other cited references. Accordingly, the cited references, individually and in combination, fail to disclose or render obvious the features of claims 42 and 76, at least by virtue of their dependence on claim 36. In addition, these claims recite additional novel and non-obvious features.

In view of the foregoing, withdrawal of the above-referenced obviousness rejection and reconsideration of the claims is respectfully requested.

#### **Conclusion**

The Applicants respectfully submit that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number in order to expedite resolution of any issues and to expedite passage of the present

application to issue, if any comments, questions, or suggestions arise in connection with the present application.

The Applicants believe no additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-3797.

Respectfully submitted,

/Adam D. Sheehan/

Adam D. Sheehan, Reg. No. 42,146  
LARSON NEWMAN & ABEL, LLP  
5914 West Courtyard Drive, Suite 200  
Austin, Texas 78730  
(512) 439-7100 (phone)  
(512) 439-7199 (fax)

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Date